

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

EVGENY OKMYANSKY,
Plaintiff,

v.

HERBALIFE INTERNATIONAL OF
AMERICA, INC.,
Defendant.

Civil Action No. 03-10574JLT

**ASSENTED-TO MOTION OF DEFENDANT HERBALIFE INTERNATIONAL OF
AMERICA, INC., TO EXTEND TIME TO FILE RESPONSE TO FIRST AMENDED
COMPLAINT**

Defendant Herbalife International of America, Inc. ("Defendant"), with the assent of plaintiff Evgeny Okymansky ("Plaintiff"), hereby move for an extension of time to file a response to the Plaintiff's First Amended Complaint up to and including May 12, 2003. In support of this motion, the Defendant states that its current counsel Greenberg Traurig, LLP, entered an appearance on April 9, 2003, and replaced Plaintiff's prior counsel Ropes and Gray. Accordingly Plaintiff's requests additional time to fully review the factual allegations in the First Amended Complaint. In addition, the parties are involved in discussions with respect to an agreement on phased discovery regarding issues of statute of limitations and venue. As part of their discussions, the Plaintiff has agreed to allow the defendant up to and including May 12, 2003 to respond to the First Amended Complaint.

WHEREFORE, defendant Herbalife International of America, Inc., with the assent of plaintiff Evgeny Okymansky, respectfully requests that this Court extend the time for the defendant to file a response to the First Amended Complaint up to and including May 12,

2003.

ASSENTED TO BY:

EVGENY OKYMANSKY, Plaintiff,

By his attorneys:



Joel Z. Eigerman, BBO #152000

Pavel Baspelko, BBO #654316

Law Offices of Joel Z. Eigerman

50 Congress Street, Suite 200

Boston, MA 02109

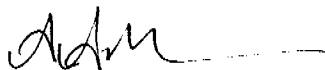
(617) 367-0014

RESPECTFULLY SUBMITTED:

HERBALIFE INTERNATIONAL OF

AMERICA, INC., Defendant,

By its attorneys:



Gary R. Greenberg, BBO #209420

Annapoorni R. Sankaran, BBO #631065

GREENBERG TRAURIG, LLP

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(617) 310-6000

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CERTIFICATE OF SERVICE

I Annapoorni R. Sankaran, hereby certify that on May 1, 2003, I served a copy of the foregoing by first-class mail, postage-prepaid upon:

Joel Z. Eigerman, Esq.
50 Congress Street, Suite 200
Boston, MA 02109



Annapoorni R. Sankaran